

## **811 KAR 2:056. Authorized agents.**

RELATES TO: KRS 230.610-230.770

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: To regulate conditions under which Arabian, quarter horse and appaloosa racing shall be conducted in Kentucky. The function of this administrative regulation is to outline the requirements for authorized jockey agents.

Section 1. Agents Permitted. Any licensed owner, or licensed jockey, or licensed apprentice jockey, may as a principal authorize another person as an agent to act in such principal's behalf in all matters pertaining to racing in this state and transfer of horses on association grounds. Such authorization shall be in writing and shall define the powers, limits, and term of such agency.

Section 2. License Required. (1) No person may act as agent on behalf of another individual in a matter pertaining to racing in this state, or in the transfer of horses on association grounds, unless both principal and agent have been duly issued current licenses permitting such activity.

(2) If an authorized agent is to act on behalf of more than one (1) principal, a separate license must be obtained as to each principal. Applications for an authorized agent license shall be accompanied by the written agency appointment, signed by the principal and notarized.

(3) If such agency appointment is other than one authorizing broad general powers, and qualifies or limits powers of the agent to act on behalf of the principal in any way (for example: limitation as to transfer of money in the horsemen's account, or entry of a horse for a minimum claiming price, or sale or purchase or lease of a horse), then such license, if issued, shall indicate thereon such limitation by the word "qualified" or "limited."

(4) No racing official shall permit any authorized agent whose license indicates a qualified agency to act as an authorized agent until such racing official has inspected a copy of the agency appointment and ascertains such act is empowered by such agency.

(5) No jockey agent shall make engagements for more than two (2) riders, except that a single jockey agent may represent all riders under contract employment to a single employer. No rider may be represented by two (2) jockey agents at one time.

Section 3. Termination of Agency. Such agency shall remain in effect until written notification of revocation is received from the principal by the commission. In the event a jockey agent is dismissed by his employer, or if a jockey agent discontinues making engagements for a rider, then such jockey agent shall immediately notify the stewards and turn over to the clerk of scales a list of any unfulfilled engagements such jockey agent may have made for such rider.

Section 4. Acts by Authorized Agent. Unless precluded by specific limitations in the agency appointment, a licensed authorized agent may perform on behalf of the licensed owner-principal all acts as relate to racing in this state or transfer of horses on association grounds as could be performed by the principal had such principal been present. In executing any document on behalf of the principal, an authorized agent shall clearly indicate he is acting as an authorized agent and shall specify the principal for whom he is acting. When an authorized agent enters a claim for the account of a principal for whom he is licensed as an authorized agent, the name of the licensed owner for whom the claim is being made and the name of the authorized agent shall appear on the claim slip.

Section 5. Riding Engagements. No person other than the licensed contract employer, or a licensed jockey agent, may make riding engagements for a rider, except that a jockey not represented by an agent may make his own riding engagements. Such persons permitted to making riding

engagements shall maintain in their possession at all times an engagement book and shall record therein riding engagements made, the same being subject to examination by the stewards at any time. No jockey agent may enter the jockey room, or paddock, or racing strip during the hours of racing.

Section 6. Conflicting Claims for Rider. Any dispute arising from a conflict of claims for the services of a rider shall be determined by the stewards on the basis of written records submitted by the parties involved. (Recodified from 812 KAR 1:056, 6-10-87.)